

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

Crl.Rev.Pet.No. 3868 of 2007()

CRA.288/2002 of SESSIONS COURT, KOZHIKOE
CC.575/1999 of JUDL. MAGISTRATE OF FIRST CLASS-V, KOZHIKODE
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REVN. PETITIONER:

K. VELAYUDHAN,
S/O. APPU,
THAZHE THOTTANKARA,
KALITHODI, FEROKE, KOZHIKODE.

BY ADV. SRI.C.P.MOHAMMED NIAS
SRI.SRINATH GIRISH

RESPONDENTS:

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1. T. MARAKKAR,
S/O. MOHAMMED,
AFSANA MANZIL,
PETTAH, FEROKE,
KOZHIKODE.
 2. THE STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY ADV. SRI. K.S. SIVAKUMAR, PUBLIC PROSECUTOR
SRI.S.A.SAJU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 29/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 3868 of 2007

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Dated this the 29th day of October, 2007

ORDER

The accused in C.C.No.575/1999 on the file of the Judicial First Class Magistrate-V, Kozhikode for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 11374 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. The petitioner shall be released from custody forthwith unless his continued detention is found necessary in connection with any other case against him.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE

